

EDMONDS CITY COUNCIL APPROVED MINUTES

October 13, 2015

The Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Kristiana Johnson, Council President Pro Tem *
* (arrived 7:03 p.m.)
Diane Buckshnis, Councilmember
Lora Petso, Councilmember
Joan Bloom, Councilmember
Thomas Mesaros, Councilmember
Michael Nelson, Councilmember

ELECTED OFFICIALS ABSENT

Adrienne Fraley-Monillas, Council President

ALSO PRESENT

Ari Girouard, Student Representative

STAFF PRESENT

Al Compaan, Police Chief
J. Shier, Police Officer
Phil Williams, Public Works Director
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Bertrand Hauss, Transportation Engineer
Rob English, City Engineer
Jeff Taraday, City Attorney
Scott Passey, City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present with the exception of Council President Fraley-Monillas and Council President Pro Tem Johnson.

2. APPROVAL OF AGENDA

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETSO, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY. (Council President Pro Tem Johnson was not present for the vote.)

3. APPROVAL OF CONSENT AGENDA ITEMS

Mayor Earling relayed that Council President Pro Tem Johnson wanted to abstain from Item A due to her absence from that meeting. Councilmember Nelson requested Item D be removed from the Consent Agenda.

ITEM A: APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF OCTOBER 6, 2015

COUNCILMEMBER MESAROS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ITEM A. MOTION CARRIED UNANIMOUSLY. (Council President Pro Tem Johnson was not present for the vote.)

ITEM D: 2015 - 2017 SEIU COLLECTIVE BARGAINING AGREEMENT (CONTRACT)

Councilmember Nelson advised he would abstain from the vote.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE ITEM D. MOTION CARRIED (4-0-1) NELSON ABSTAINING. (Council President Pro Tem Johnson was not present for the vote.)

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO APPROVE THE REMAINDER OF THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. (Council President Pro Tem Johnson was not present for the vote.)The agenda items approved are as follows:

- B. APPROVAL OF CLAIM CHECKS #216503 THROUGH #216675 DATED OCTOBER 8, 2015 FOR \$845,323.21. APPROVAL OF PAYROLL REPLACEMENT CHECK #61824 FOR \$791.35 AND DIRECT DEPOSIT OF \$500.00 FOR THE PAY PERIOD SEPTEMBER 16, 2015 TO SEPTEMBER 30, 2015.**
- C. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM SANDRA BOSS (\$658.65)**
- E. AUTHORIZATION FOR MAYOR TO SIGN AGREEMENTS WITH FRONTIER AND SNOHOMISH COUNTY PUD FOR THE UNDERGROUND CONVERSION OF OVERHEAD UTILITY LINES WITHIN THE 76TH AND 212TH INTERSECTION IMPROVEMENTS PROJECT LIMITS**

4. PRESENTATIONS

- A. PROCLAMATION IN HONOR OF FRIENDS OF THE EDMONDS LIBRARY WEEK ~ OCTOBER 18 - 24, 2015**

Mayor Earling read a proclamation declaring October 18 – 24, 2015 as Library Week in Edmonds.

A member of the Friends of the Edmonds Library invited the public to the annual book sale on Saturday, October 24, and to become members. She recognized Chy Ross, Managing Librarian, and expressed the Friends' appreciation for his support and leadership.

- B. PRESENTATION BY STUDENTS SAVING SALMON REGARDING WATER QUALITY MONITORING**

Rondi Nordal, Club Officer, Students Saving Salmon, thanked the Council for their close review of the Critical Areas Ordinance (CAO) that focuses on the protection of fish and wildlife habitat in wetlands as well as work done by Councilmember Buckshnis with WRIA8 in conserving salmon habitat with regard to the Marsh as well as Michael Cawrse, Public Works, for his help with grants. She introduced members of Students Saving Salmon, Edmonds-Woodway High School seniors, Afua Tiwaa, Vice President, Pavi Chance, Treasurer, and Lindsey Barnes, Secretary. She also recognized the following: David Millette, Club Advisor and EWHS biology teacher; Geoff Bennett, Assistant Principal; Valerie Stewart, former EWHS teacher and Edmonds Beach Ranger; and Joe Scordino, retired NOAA fisheries biologist.

Ms. Nordal described Students Saving Salmon:

- Student club at EWHS t
- Focus on activities and projects that emphasize education outreach through interviews, articles and presentations
- Relate to science classes
- Place high importance on salmon and the environment

- Goal of reestablishing historic salmon runs in Edmonds

Ms. Tiwaa described the importance of salmon:

- Key component of ecosystem
- Salmon migration transports nutrients
- Environmental health indicator
- Cultural icon

Ms. Chance congratulated the City for choosing to daylight Willow Creek which will provide salmon access to the saltwater marsh, crucial for spawning as well as other environmental benefits. She described the importance of habitat:

- Healthy salmon habitats: dissolved oxygen in water and prevalence of vegetation
- 2013 by Adopt a Stream study of Shellabarger Creek found poor water quality in need of improvement
- Data collected by Students Saving Salmon will be compared to State water quality standards and the Clean Water Act

Ms. Barnes explained one of the major issues adversely affecting salmon is toxic stormwater runoff. She identified stormwater issues:

- Increased pre-spawn mortality rate
- Coho mortality in some streams
- Seattle Times reported on a study that found road runoff kills salmon within hours of exposure
- Solution = infiltration
- Stormwater samples will be sent to water analysis lab

Ms. Barnes thanked the Council for implementing the rain garden program that began October 10.

Ms. Tiwaa described the Edmonds Stream Team:

- Citizens' science program monitors conditions of Edmonds streams and Edmonds Marsh
- Take monthly water quality measurements from Shellabarger Creek, Willow Creek, Shell Creek and Edmonds Marsh
- Grant funding
- Volunteers
- Data analysis
- Data publicly accessible

Ms. Barnes displayed a map of watersheds in Edmonds they will be sampling, and explained two samples will be taken from each waterway, one from the lower end and one from the upper end.

Ms. Nordal thanked the City of Edmonds, Google Tides Foundation, National Fish and Wildlife Foundation, Earthcorps, Sound Salmon Solutions and Edmonds School District. She also thanked Keely O'Connell; Michael Cawrse, Public Works; Carrie Hite, Parks & Recreation; and Geoff Bennett.

Councilmember Mesaros asked how long they will be taking samples. Mr. Scordino explained the students began collecting samples this month; samples have been collected over the past four months. They had been awaiting the purchase of a high quality data meter at the end of July that is used to collect the water samples. Councilmember Mesaros remarked it would be interesting to monitor the water quality over the next 5-25 years. Mr. Scordino said the intent is to make this a long-term citizen science program involving the school district and students.

Councilmember Buckshnis commended the program and invited the students to make a presentation to WRIA8. She was hopeful the City could include funding for the program in next year's budget due to the importance of the students educating the public, understanding statistics, etc. She looked forward to the program continuing.

Councilmember Petso thanked the group for their work, envisioning it would be a great project for the City. She requested the City Clerk provide the Council the students' presentation.

Councilmember Nelson was excitedly looking forward to their data. He referred to the Seattle Times article regarding how quickly the toxicity of stormwater affects salmon and asked if the students planned to take water samples immediately following storms. Mr. Scordino answered monthly measurements will be taken to monitor dissolved oxygen, temperature, and pH and every season samples will be collected and taken to a lab where the samples will be analyzed for various pollutants including metals, petroleum products, etc. Depending on the availability of grant funds, they also plan to collect samples during storm events 2-3 times a year. The challenge is the cost; lab analysis from one site costs \$600. Grants from National Fish and Wildlife Foundation and Google Tides Foundation provided \$12,000. They are using those funds to collect baseline data as well as storm data.

Council President Pro Tem Johnson echoed the Council's thanks. She viewed this as a lovely example of how the community can work together with Students Saving Salmon, City Council, and the School District. She thanked Geoff Bennett, Val Stewart and Joe Scordino for working with the students. She asked how many students are in the club and what they hope to accomplish this year. Ms. Nordal responded there are 12-13 students in the club who range from sophomores to seniors. They hope to have various activities, programs and presentations as well as articles and water quality testing. Ms. Stewart explained not only will students be collecting data and looking at the science, they will be relating it to policy documents and regulations that the Council and Planning Board review. They may comment on City policy documents as they arise.

Council President Pro Tem Johnson noticed the presentation included reference to the fishing pier. Ms. Nordal said that was related to a presentation she and another student gave to Ms. Hite. One of the group's previous projects was interviewing fishermen about what they knew about salmon and what they would like to see at the fishing pier as well as educational signage. Ms. Stewart explained last year's Students Saving Salmon sponsored tours of the Edmonds Marsh and shoreline parks. She was hopeful the group will be able to create a video that would be available online with links to the data. Council President Pro Tem Johnson said she attended both tours and they were wonderful.

Councilmember Bloom asked whether the students planned to provide their annual report to the Council in May. Ms. Nordal said yes, provided they are invited back.

Councilmember Mesaros asked if there are other student groups in the Puget Sound region and other states doing similar work and how they are connecting with those groups. Ms. Stewart said there are many other groups doing similar work. They hope to grow Students Saving Salmon to include community college level students, specifically Edmonds Community College. They collaborate with Sno-King Watershed Council where they and many other student groups contribute to King and Snohomish Counties' databases. Councilmember Mesaros commented North Seattle College does a lot of work on Thornton Creek.

Mayor Earling thanked the students for their presentation and assured they were invited back next year.

5. AUDIENCE COMMENTS

Wendy Kendall, Edmonds, a member of the Friends of the Edmonds Library and the Library Board, announced an exciting event showcasing the library building and services, a Library Tech Fair on November 14. This month the Friends are sponsoring a Kindle contest; entries are 500 words or less on why today's modern library is my friend. Through a generous donation from Semetra Financial Investment Services Company three Kindles will be awarded as prizes for entries in the 9-12, 13-19 and 50+ age groups. The prizes will be awarded at the Tech Fair and librarians will be on hand to show how to use Kindles with the library's technology services. Entry forms are available at the Edmonds Library.

6. STUDY ITEMS

A. PRESENTATION OF THE PROPOSED 2016 CITY BUDGET

Mayor Earling presented the 2016 budget message:

"Members of the City Council, staff and citizens of Edmonds:

I am pleased to present to you the 2016 Edmonds City Budget. Every year when we craft the budget we reassess the status of the economy. My first budget as Mayor in 2013 was "conservative", and with improvements, by the 2015 budget I had moved all the way to "cautious". For 2016, with the steady improvement of the national, state and local economy this past year, I am now ready to make the leap to "pretty darn hopeful."

Over the past 12-18 months we have seen dramatic improvements in our local economy. The positive growth in the national and regional economy, along with the hard work of the city staff, Council and the business community, has furthered that economic success.

Our projected 2015 operating revenues are 3.4% higher than our 2014 actual revenues. And 2016 revenues are projected to be 5.4% higher than the anticipated 2015 revenues. For example, as of the end of September, our sales tax revenues are \$670,000 higher than the same year-to-date last year; with automobile sales and construction activity leading the way.

Our real estate values continue to recover from the 2008 recession. We have restored a significant portion of home values lost. Because Edmonds is such a desirable community to live in we have had a very successful year in real estate sales, resulting in strong city income from the real estate excise tax. Additionally, new home and commercial construction has added \$43.5 million to our 2016 assessed property values. All signs of economic progress.

With all of this good news however, we must acknowledge the lean years that forced us to make decisions in deferring projects, hiring needed staff and other funding decisions, we now need to begin to address. In addition we have completed a building maintenance assessment which shows serious deficiencies in several of our city's buildings.

Two years ago we pulled together enough dollars to begin a street resurfacing program, one which had been left unattended for five years. Each of the past two years, we have funded over a million dollars in repaving projects. The budget I present tonight continues this program.

But we need to understand, ladies and gentlemen, that with the previously tight economy, we have fallen behind in other areas of need as well. My commitment to the road resurfacing program serves as an example of the catch up work that we need to do throughout the city.

Whether we talk of deferred infrastructure or a staff stretched too thin for too long, we need to catch up so that our city government meets the standards expected by the community.

We have addressed several areas of needed catch up in this budget. Briefly, I shall highlight a few of the proposals we've included.

Funding is being provided for the following items:

- *Continued street resurfacing program*
- *Completion of the Wayside Horn System at our at-grade-crossings*
- *Curb ramps to meet ADA requirements*
- *Sidewalk work and traffic calming*
- *Completion of the 228th and Highway 99 project*
- *Traffic improvements in and around 76th W and 212th streets*
- *Needed IT equipment replacement*
- *Continued citywide water, sewer and storm water efforts*

One major improvement on the infrastructure side included in this budget that I want to highlight is funding for a downtown public restroom. A long desired facility of local citizens, business owners and visitors.

Few people will remember that in 2008 we had 234 employees. As a result of the recession, we have been operating with about 208 employees for the past three years. With the dramatic shift in the economy, there is great need to add staff in a few understaffed areas.

When the workload in the Planning/Building Inspection/Engineering Departments necessitates closing for a day a week to keep pace with that workload, when we cannot respond adequately to meet everyday crime, when the Finance Department is understaffed and overworked, it is time in this good economy to respond. As I said earlier, we have too few staff stretched too thin for too long.

So, in the 2016 budget, I have included funding for seven new full time positions. I am happy to announce we will be re-establishing the street crimes unit with two additional police officers to deal with important public safety work. In addition, we will add one position in Development Services, Finance, Engineering, and Public Works. We will also bump a ¾ time position in the Clerk's office to full time. I received additional requests in the budget process for staffing, but I have focused on immediate needs.

I should note the Engineering position will be mostly funded from the utility funds. I should also note I have included the Council's request for a half-time legislative analyst.

The city of Edmonds has come through tough financial times in good shape. Being "conservative" and "cautious", making very hard decisions in the 2013 budget, a revived economy and a desirable community in which to live and work has brought us to a positive point.

I must caution though, we need to be ever vigilant to our long term needs. We must continue to identify constant and improving revenue, as we know expenses will always increase. We have a very high quality of life in Edmonds and our community wants that quality maintained.

In conclusion, I look forward to working with Council and the community in the coming weeks to move the budget to conclusion. I must note and thank my Directors and the entire Finance Department for their efforts, attitude of compromise and success in crafting the 2016 budget."

Budget books were distributed to Councilmembers.

B. INTERLOCAL AGREEMENT FOR EMERGENCY MANAGEMENT SERVICES

Police Chief Al Compaan explained the Emergency Services Coordinating Agency (ESCA) is dissolving effective December 13, 2015. Previous Council action on May 19, 2015 included passage of Resolution 1334 that endorsed the dissolution action and directed replacement of ESCA services with those provided by Snohomish County Department of Emergency Management (DEM). He requested approval of the Interlocal Agreement on next week's Consent Agenda. The fiscal impact is included in the proposed 2016 budget; the amount allocated in 2016 is \$46,633, ESCA was paid approximately \$94,000 in 2015.

Councilmember Nelson observed there will be a significant savings and asked whether Chief Compaan is comfortable the same level of service will be provided. Chief Compaan answered yes, there have been discussions with DEM about a more enhanced level of service but that is staff dependent as southwest Snohomish County cities join DEM. The basic services the City will receive under this Interlocal Agreement will meet and likely exceed in some areas what the City received from ESCA because it is a larger, more robust organization.

Council President Pro Tem Johnson recalled Snohomish County DEM made several presentations to Snohomish County Tomorrow last year; they experienced a tremendous learning curve with the Oso slide and she was confident they were prepared to serve the City of Edmonds. Chief Compaan agreed Oso was a tremendous learning opportunity for DEM; many people learned a lot of things they were unaware they did not know. It was used as a growth opportunity and he firmly believed DEM was a stronger organization than before the Oso slide occurred.

It was the consensus of the Council to schedule approval on next week's Consent Agenda.

C. RENEWAL OF CONTRACT FOR SERVICES WITH S. MORRIS COMPANY

Police Chief Al Compaan reported animal control has a need for disposal of deceased animals. S. Morris Company has provided these services to Edmonds since 2007 at a very reasonable rate. The proposed contract is for three years, basically an extension of the existing contract with a slight adjustment in the per animal disposal fee which is proposed to be \$11.90 for 2016. He recommended approval on the Consent Agenda.

It was the consensus of the Council to schedule approval on next week's Consent Agenda.

D. RENEWAL OF INTERLOCAL AGREEMENT REGARDING IN-SERVICE POLICE SKILLS TRAINING

Police Chief Al Compaan explained this Interlocal Agreement is for cooperative in-service police training. The Edmonds Police Department has participated with this same group of cities since 2001; Everett provides the umbrella organization for the Interlocal Agreement. Training includes legal updates, emergency vehicle operation, first aid, blood borne pathogens and other specialized skills training. The cost for the City to be participants in the Interlocal Agreement is \$1200/year. He recommended approval on the Consent Agenda.

It was the consensus of the Council to schedule approval on next week's Consent Agenda.

Mayor Earling suggested moving Agenda Items F and G up as a consultant is present for Item G.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT PRO TEM JOHNSON, TO MOVE ITEMS F AND G FOLLOWING ITEM D. MOTION CARRIED UNANIMOUSLY.

G. DISCUSSION ON THE UPDATED 2015 TRAFFIC IMPACT FEE

Public Works Director Phil Williams explained whenever a development is proposed that differs from the existing land use, an analysis is done to determine if the new development will increase traffic on City streets. If the development increases traffic, a traffic impact fee is charged based on the amount of impact. That fee, currently \$1,050 per peak hour trip, is periodically analyzed to determine its appropriateness.

Randy Young, Henderson, Young & Company, provided a definition of impact fee: a one-time payment by new development for capital costs of facilities needed by new development. He reviewed reasons to charge an impact fee:

- Revenue: for needed public facilities
- Policy: growth pays a portion of costs so taxpayers don't pay the whole cost
- Quality of life: public facilities keep up with growth

He provided rules for impact fees:

1. Fair Share
 - Growth only, not deficiencies
2. Nexus of benefit
 - Fee proportional to impacts
3. Credits
 - No double charging
4. "Cannot rely solely on impact fees"
 - Cannot charge 100% of growth's costs

He described what can impact fees pay for:

- Can pay for "system improvements" in adopted CIP
- Cannot pay for "project improvements" (i.e. local streets for the development)
- Cannot pay for repair, replacement, renovation

Mr. Young reviewed the calculation of impact fees

- Step 1: Eligible costs divided by growth trips = cost per trip
Example: \$21,733,736 eligible costs divided by 3,930 growth trips = \$5,530 cost per trip
- Step 2: Impact fee per unit of development (cost per trip x trip rate = impact fee rate)
Apartment Example: \$5,530 cost per trip x 0.62/ trip rate = \$3,429/ impact fee rate
Office Example: \$5,530 cost per trip x 0.00134/square foot trip rate = \$7.41/square foot impact fee rate

He reviewed changes 2009 to 2015

- Added 6 projects
- Increased cost of 7 carry-over projects
- Reduced deficiency exclusion
- Excluded external costs & trips
- Eliminated long-term cost exclusion

He presented the project list from the adopted Transportation Plan, explaining this is not the entire list of projects; to be included on this list, the project must increase capacity of the street system:

#	Project	Total Cost	Existing Deficiency	Edmonds Growth	Eligible Cost
1	Olympic View & 174 th St. SW	\$ 610,000	0%	47%	\$ 286,700
2	Olympic View Drive & 76 th Ave. W	1,183,000	0%	47%	556,010
4	196 th St. SW (SR 524) & 88 th Ave	903,000	0%	63%	568,890

8	212 th St. & SR 99	2,806,000	0%	63%	1,767,780
14	220 th St. & SR 99	3,215,000	0%	33%	1,060,950
30	SR 99 & 216 th St SW	2,335,000	0%	33%	770,550
11	Main St. & 9 th Ave.	911,000	0%	63%	573,930
15	220 th St. & 76 th Ave	4,314,000	0%	33%	1,423,620
20	SR 104 & 238 th St.	1,339,000	40%	49%	393,666
21	SR 104 & 76 th Ave W	1,508,500	0%	49%	739,165
A	84 th Ave. W, between 212 th St. S & 238 th St. SW	7,720,500	0%	65%	5,018,325
B	238 th St. SW, between Edmonds Way & 84 th	3,045,000	0%	65%	1,979,250
C	Add 228 th St. SW from SR 99 to 95 th Pl.	10,146,000	0%	65%	6,594,900
	Total	\$40,036,000	1%	53%	\$21,733,736

He summarized the cost per trip is key: Eligible costs \$21,733,735 divided by growth trips 3,930 = cost per trip \$5,530.

Mr. Young provided a comparison of cost per trip:

Jurisdiction	Cost per trip
Kenmore	\$8,350
Lynnwood	7,944
Shoreline	6,124
Edmonds (update)	5,530
Bothell	5,426
Average of 8 others	4,486
Mill Creek	3,000
Snohomish County	2,453
Mukilteo	1,050
Edmonds (current)	1,050
Mountlake Terrace	714

He provided the following with regard to the comparison:

- Don't over-estimate their impact
- Fees are a very small % of cost, no effect on most development decisions
- Virtually all "comparable" cities have fees, so differences are even smaller % of costs
- Other factors far outweigh small fee differences:
 - Location, location, location
 - Land: availability and price
 - Accessibility
 - Differences in project costs, other revenue, policies

Alternatives to updating impact fees include:

1. Raise taxes
 - Growth pays less, taxpayers pay more
2. Eliminate some projects
 - Less cost, more congestion
3. Discount the cost per trip or phased increase
 - Growth pays somewhat less, more congestion

He described a phased increase of cost per trip:

	Cost per Trip
Edmonds (update)	\$5,530
Edmonds (current)	1,050
Increase	4,480
Annual Increase: 3 years	1,493

He provided examples of the impact fee with the increase phased over three years:

	2015	2016	2017	2018
Previous Year	1,050	1,050	2,542	4,035
+ Annual Increase		1,493	1,493	1,494
Phased Amount	1,050	2,543	4,036	5,530

Mr. Young said no action is recommended today. This is an opportunity for background and Council questions and comment.

Councilmember Buckshnis how existing deficiencies are determined to develop percentages. Mr. Young explained 4-5 different numbers are necessary to make that calculation including how much traffic is on the street now, how much traffic that street can hold at LOS, and the increased capacity when the improvement is constructed; the deficient amount is then divided by the difference between the existing capacity and the increased capacity to determine the growth percentage.

Councilmember Buckshnis commented sooner or later there will be no places to build and she would rather collect money sooner than later. She asked how projects in the pipeline are addressed. Mr. Young answered many cities recognize that the pipeline is fairly short. Most cities do not phase in the impact fee; they adopt it in November/December but do not make it effective until January 1, 15 or 31. That gives everyone with a project in the pipeline a limited amount of time to finalize their deal or add that number. Councilmember Buckshnis recalled that was done with the park impact fee.

Councilmember Bloom commented in the comparison of 11 jurisdictions, Edmonds is next to last in the cost per trip. She asked when the fee was last updated. Mr. Young answered 2009. Councilmember Bloom asked whether it was typical to wait that long. Mr. Young answered it is not typical to wait that long but the great recession was also not typical. This is a longer than typical period but there is no legal requirement for the amount of time between increases.

Councilmember Bloom asked when the City would update the fee next. Mr. Young answered it is typical to update it when the Transportation Plan is updated. Because of the amount of work involved, a three year cycle is not unusual. Public Works Director Phil Williams answered Edmonds typically updates the fee every six years when the Transportation Plan is updated. Cities that are growing rapidly do it more often. During that six year period, other cities are also recalculating their fees and they almost never decrease. Mr. Young pointed out Shoreline adopted an impact fee for the first time last year. Although significant developed, Shoreline is experiencing redevelopment and felt they needed a traffic impact fee. Shoreline is third in the comparison of cities and they did not discount the rate or phase it in.

Councilmember Mesaros asked how the growth trip number, 3,930, was calculated. Mr. Young explained a traffic model was used, a computer simulation of all traffic entering, leaving and within the City to identify the existing number of trips, growth for the future is added and the model predicts the number of new trips. The 3,930 is the difference between the existing and new trips.

Councilmember Mesaros observed if more growth than anticipated occurs, there will be more trips; he asked how that impacts the \$21 million in projects. He asked whether there would be over-capacity if all

\$21 million in projects were implemented. Mr. Young said there will be some over-capacity in some streets and others will be on the brink by 2035. That is why Transportation Plans are updated every 3-5 years. With regard to what happens if there is more or less growth, he explained impact fees are self-balancing. A list of projects has been identified that will accommodate 3,900 trips; if the City only experiences half the growth, they will collect only half the total amount. With half the people, likely only half the projects will be needed. If the City experiences more growth, more money will be collected that can be used to identify additional projects.

Councilmember Mesaros commented an increase from \$1,050 to \$5,530 is about a 500% increase. If the increase were phased in, the first year would only be a 140% increase. He observed it does not sit well for a governmental entity to increase fees by 140% with the anticipation of two subsequent increases. Mr. Young agreed the average consumer would object to that type of increase in groceries or clothing and likely would take their business elsewhere. Conversely, real estate is dirt that cannot be moved, and several changes have occurred between 2009 to 2015 (6 new projects, increased cost of 7 carry-over projects, reduced deficiency exclusions, excluded external costs and trips, eliminated long-term cost exclusion). He agreed it felt like a huge increase.

Councilmember Mesaros said he was quoted in My Edmonds News as saying government never has enough money and he felt this was an example of that. An average citizen deciding to build new house may have researched the impact fee a few years ago and found it was only \$1,050 but now may be faced with an impact fee of \$5,000. Mr. Young said the question is why \$1,050 was right in 2009 but is not right now.

Councilmember Mesaros provided the example of a developer building a 10-unit apartment building; with an impact fee of \$1,050, the total fee is \$10,500 compared to \$55,000 with a \$5,000 impact fee. He said \$45,000 on a multimillion dollar project may not seem like a lot but the Council needs to be conscious of that in their decision-making. Mr. Young agreed every City Council wrestles with that whenever an impact fee is proposed or an increase adopted. In the end, 78 cities in Washington with the highest growth in the state, all decided impact fees were the right thing to do; it does not kill development. He acknowledged the \$45,000 increase but as a percentage of the total millions of dollars in cost, it did not make the developer go broke or stop them from doing the development. If that were true, the other 77 cities would have repealed their impact fees. Councilmember Mesaros said it was not a matter of repealing the fee but the Council needs to be conscious of the decision it is making and not be cavalier that it is a significant increase by percentage.

Councilmember Petso asked what impact fee was assumed in developing the 2016 budget. Mr. Williams answered no increase in the fee was included in revenue projections because a decision has not been made. Staff tries to estimate revenue from impact fees from large projects in the next year. Year-to-date the City has collected \$50,000 in traffic impact fees; the total at year end may be about \$75,000 Last year the City collected \$200,000+ due to a number of large projects last year. Staff expects development to continue next year.

Councilmember Petso clarified the traffic impact fee used in the budget was \$1,050. Mr. Williams answered yes; if the fee is increased, additional revenues would be factored in. He agreed these are significant increases in the traffic impact fees. He recalled the same analysis and logic was used when the water hookup fee was increased from \$930 to \$5,050 and when the sewer hookup fee was increased from \$430 to \$4,482. He acknowledged it created the potential for shock particularly for projects somewhere in the pipeline. He recalled the Council's decision to phase in those increases over three years.

Council President Pro Tem Johnson commented in Edmonds land is often more valuable than the structure. On occasion, someone will purchase a single family house, demolish it and build a significant

larger single family house. She asked whether an impact fee would be charged for the new house as there is no net change in the number of trips. Mr. Young answered no, the City's code specifies the replacement of a dwelling units with another dwelling units even if it is bigger or more expensive. The trip generation data uses an average of the number trips from all single family houses; it may understate the trips from a larger house with a large family or overstate a small house with fewer occupants.

Council President Pro Tem Johnson referred to the situation where one house is replaced with two and asked if there was a credit for original house. Mr. Young answered in most cities there is a credit for the preexisting and an impact fee would only be paid on the increase. For example if an existing house was demolished and replaced with a 5-unit apartment building, the developer would pay for all 5 but because they are less than a house, they would receive a credit for the value of one.

Mayor Earling advised this was for information only. Staff will return at a future meeting for further discussion. He declared a brief recess.

F. PRESENTATION ON THE TRAFFIC IMPACT FEE ANNUAL REPORT

City Engineer Rob English reported on traffic impact fees:

- Originally adopted in 2004
 - Rate Study = \$764/trip
 - \$841 single family unit
- Revised in 2010
 - Rate study = \$1,049/trip
 - \$1,196 per single family unit

He reported on 2014 traffic impact fees:

Beginning balance	\$359,581.35
Impact fees	202,295.31
Interest	\$154.91
Expenditure	<u>41,300.90</u>
Ending Balance	\$520,730.67

He provided examples of impacts fees collected from development in 2014:

- Swedish Hospital's 2-story addition: \$98,000
- Post office/apartments on 2nd Avenue \$33,000
- 5th Avenue Veterinary Hospital \$19,000

Expenditures in 2014 from the funds included \$41,300 for annual debt service for the 220th Street project. Two loans were put in place for that project; one expires in 2022 and the other in 2024. Expected expenditures in 2015 include:

- Five Corners roundabout \$286,000 (local match for federal grant)
- 76th Avenue/212th \$100,000

He provided a comparison of impact fees collected 2004-2014:

Year	Impact Fees
2004	5,641
2005	165,024
2006	106,842
2007	160,429
2008	62,686
2009	54,150

2010	34,873
2011	307,678
2012	29,966
2013	156,652
2014	202,295
Total	\$1,286,236

Councilmember Buckshnis referred to the annual debt service and asked whether that was approved by Council and what the Council’s role is in identifying expenditures from impact fees. Mr. English explained in the case of 200th Street loans were taken for the design phase and for the construction phase through the Public Works Trust Fund Loan program. He was not here when the loan was secured but since he has been here impact fees have been used for the annual debt service for both loans. The 220th project was identified in the initial impact fee calculation.

Councilmember Buckshnis asked to whom the \$286,000 for Five Corners roundabout would be paid. Mr. English explained impact fees will be used to pay the local match. That is also the case for the 212th project. Councilmember Buckshnis asked if there was any policy regarding the use of the funds. Mr. English explained the budget identifies the funding source and the estimated amount. For example, the Council could indicate they wanted impact fees used for a particular project. Mr. Williams commented impact fees are a great source of funds for the local match for transportation projects. Other options for the local match for Five Corners roundabout include gas tax which is dedicated to operations. Councilmember Buckshnis anticipated impact fees could be used for future improvements on Highway 99. Mr. Williams agreed.

Councilmember Mesaros pointed out the traffic impact fee for the Veterinary Hospital was \$18,766; if the fee were increased in accordance with the earlier presentation, the impact fee would have been \$75,000. He encouraged the Council to consider the amount of increase for a project like that.

Councilmember Bloom recalled the City had to pay back a Pt. Edwards traffic impact fee because it was allocated for a certain project and not used within the time period. She asked under what circumstances traffic impact fees are allocated to a specific project. Mr. English answered Pt. Edwards was a \$22,000 SEPA mitigation payment, the development’s contribution to install a signal at Pine Street & SR104 with Edmonds Crossing. Those fees were not used within the required 5-6 year period and the developer requested the City return the fee. Councilmember Bloom asked whether traffic impact fees are ever tied to a particular project. Mr. English referred to the list of projects related to growth that Mr. Young displayed that totaling \$21 million; the fee calculation is based on that set list of projects and the fees can only be expended on those projects.

Councilmember Bloom asked for clarification that funds from development were never allocated to a specific project in that area. Mr. Williams explained a city can either have a program that relies on SEPA to identify needs a development will contribute to and design projects around that specific impact or use traffic impact fees. He assumed Pt. Edwards was approved prior to the City’s implementation of traffic impact fees in 2004. Under the SEPA approach, an improvement at Pine Street & SR-104 was identified that that project should contribute to. The development paid the mitigation fee for that specific project and because it was not built within the specified time period, the developer requested the City return the fee. Traffic impact fees can be used for any of the projects identified in the list of projects.

Mayor Earling advised this is for information only, no action is required.

E. DEVELOPMENT CODE UPDATE STATUS REPORT

Development Services Director Shane Hope described reasons for updating the code:

- Conflicts
- Lack of clarity
- Not fully consistent with current laws/court cases
- Missing information
- Problematic standards
- Priority for City Council

She relayed the Planning Board's recommendation:

- What the code update should aim for:
 - Principles
 - Consistency with current state laws
 - Consistency with Edmonds Comprehensive Plan
 - Predictability
 - Some flexibility
 - Recognition of property rights
 - Clear, user friendly language and form
 - Enforceability
- Objectives
 - Ensuring reasonable and clear processes for actions
 - Providing expanded and up-to-date definitions
 - Encouragement of appropriate development
 - Protection of critical areas and shorelines
 - Recognition of diverse neighborhoods
 - Encouragement of:
 - Pedestrian-friendly and bicycle-friendly access
 - Low impact stormwater management (consistent with Ecology rules)

Ms. Hope provided highlights of the early process

- Legal consultant
- Planning consultant
- Stakeholder interviews
- Staff input
- "Gap" analysis
- Open house events
- City webpage

She reviewed key "gap" findings:

- Overlaps, conflicts, confusing organization
- Unclear language
- Lack of completeness for some topics
- Imprecision on design standards and review process
- Inconsistent, uncertain or incomplete definitions, roles and procedures
- Need for integrating stormwater management objectives and techniques

Challenges in updating existing code include:

- Not comprehensively updated for many years
 - Piecemeal amendments
- Organization problematic
- Numerous overlapping issues

- Evolving court cases and state guidance
- Need to balance update with existing workload

She provided highlights of the recent process

- Research and comparisons
- Simultaneous code updates
 - Misc. minor amendments
 - Critical areas
- Technical issues
- State guidance
- Preliminary drafting

Current code update topics include:

- Critical areas
- Subdivisions
- PRDs
- Permit process
- Administrative procedures
- Definitions
- Design review
- Signs

Ms. Hope explained Ecology has updated their guidance for stormwater management and the City is obligated to update its code to reflect that guidance. Challenges associated with updating stormwater regulations include:

- Many facets
- Not just matter of adopting Ecology manual
- Consultants working with staff on new stormwater chapter, plus other related chapters

Next steps will include:

- Refinement of first set of draft regulations
- Consultation with City Attorney
- Beginning of public review of first set of draft regulations
- Detail and drafting of second set of draft regulations
- Public review of second set of draft regulations

The next set of code update topics include:

- Trees
- Right-of-way
 - Street standards
 - Sidewalk standards
 - ROW uses, etc.
- Bicycle facilities
- Onsite parking
- Accessory dwellings
- Multi-family design standards

She relayed an estimated timeframe:

- November: Adoption of critical area regulations and preliminary drafts of subdivisions, PRDs, signs

- December: Preliminary drafts for permit processes administrative procedures
- Early 2016: Preliminary update for stormwater regulations and preliminary drafts for other topics

Councilmember Mesaros commented once the City gets the code updated, how can that be sustained so a future Council does not discover the code needs to be updated again. He suggested developing a methodology to keep the code up-to-date. Ms. Hope agreed that was something to be considered. Most jurisdictions do regular codes updates and over time there is a need for a more comprehensive update.

Councilmember Petso inquired about the addition of binding site plans to the code, why that was being done and where it was expected to be helpful or applicable given the limited amount of commercial property left in Edmonds. Ms. Hope agreed there was not a lot of new commercial property but there are divisions of land, etc. A bind site plan provides an opportunity to work with those commercial property owners. Most cities have binding site plan requirements; Edmonds is one of the few that does not. Councilmember Petso commented although Westgate and Hwy 99 are technically commercial areas, recent code changes made Highway 99 eligible for 100% residential. She asked if those areas were no longer eligible for a binding site plan. Ms. Hope answered a binding site plan would apply to most kinds of multi-family as well as commercial and industrial development.

Councilmember Nelson referred to property performance standards in Draft 4. Ms. Hope answered those standards are related to nuisance, a fence or hedge that is in the wrong location or extends into the right-of-way, etc.

H. PRESENTATION OF A LOCAL AGENCY PROFESSIONAL SERVICES CONSULTANT AGREEMENT WITH TETRA TECH FOR THE EDMONDS WATERFRONT ANALYSIS PROJECT

City Engineer Rob English explained the Request for Qualifications was issued in August and five firms responded. A selection committee consisting of representatives of Sound Transit and WSDOT, and three City Employees (Public Works Director, City Engineer, and Transportation Engineer) evaluated and held interviews with the top two candidates. Following that selection process, Tetra Tech was selected as the firm most qualified to perform the work. The Advisory Task Force has approved their selection and has reviewed the scope of work.

An initial contract (Exhibit B) \$10,000 was executed between the City and Consultant to develop an initial public involvement plan, strategic communication plan and attending the Advisory Task Force meetings in October, Task 1 in the overall contract.

The Local Agency Agreement (Exhibit A) consists of the following remaining tasks:

- Task 1 Project Initiation
- Task 2 Public Outreach
- Task 3 Advisory Task Force and City Council briefings
- Task 4 Analysis of Existing Conditions
- Task 5 Level 1 Alternatives Development and Screening
- Task 6 Level 2 Alternatives Development and Evaluation
- Task 7 Project Management, Coordination and Reporting

The total proposed fee for the contract is approximately \$575,000; a management reserve of \$30,253 is proposed for a total contract amount of approximately \$605,000. He recommended approval of the contract on next week's agenda.

Councilmember Bloom referred to the description of work on the first page, "Prepare an analysis of near-term and longer-term approaches to improve access and safety conditions (for all modes of transportation)

at the Main Street and Dayton Street railroad crossings. Develop and document the selection of a preferred alternative.” She asked if Tetra Tech via this process that runs through April 2017 will develop one alternative through a public process. Mr. English answered the current schedule anticipates the report will be complete in September 2016; the April 2017 date was included to provide flexibility for extending the timeline. Page 1 of Exhibit A, Scope of Work, refers to the wording the Council previously agreed to related to near-term and long-term priorities. That is the focus of Tetra Tech’s work. Staff has discussed revising the description of work that Councilmember Bloom referred to on page 1 using the wording in Exhibit A.

Councilmember Bloom asked whether the goal of the study was to develop and document a preferred alternative, not multiple alternatives for the Council in conjunction with the public to decide upon. Mr. English explained the scope of work includes a public process as well as an evaluation of existing conditions and reports prepared over the past 20 years. That information will be compiled and public input gathered followed by a screening process of the alternatives and options shared with Council. Mr. Williams referred to Councilmember Bloom’s question whether Tetra Tech would select a preferred alternative, explaining at the end of the process the City will collectively identify a preferred alternative which could have multiple parts. There are a number of touchpoints for the Council throughout the study, four scheduled Council updates where the Council could provide feedback on progress to date and the direction being taken, at the Level 2 stage Council would be apprised of the initial list of potential projects to be screened and a report to Council on the study at the end. The public will be invited to meetings and the Task Force’s meetings are public. He envisioned an iterative process where everyone is aware of what’s going on and the recommended alternative at the end will not a surprise. Staff would then discuss with Council including those project(s) in City plans, authorization to seek funds, etc.

Councilmember Petso relayed her understanding that a contract has already been signed with Tetra Tech even though Council has not yet selected Tetra Tech. Mr. English answered there is a \$10,000 contract in place. Councilmember Petso asked what happened to that contract if she asked for the RFP evaluation matrix and obtained a Council majority to hire the #2 firm. Mr. English answered the contract could be cancelled; whatever expenses had been incurred would need to be paid. Councilmember Petso requested the evaluation matrix, interview notes, etc. be included in next week’s packet. She also requested notes/minutes from the Advisory Task Force be included in next week’s packet.

Councilmember Buckshnis asked whether the Task Force’s meeting minutes will be posted on the City’s website. Mr. Williams answered they are on the website. Councilmember Buckshnis said several people want to attend meetings and want to read the minutes to see going on.

Councilmember Mesaros asked Councilmember Nelson’s perspective since he co-chairs the Task Force. Councilmember Nelson explained the Task Force reviewed the contract at their last meeting. Efforts have been made to make this as public a process as possible. Meetings are noticed on the website, published in My Edmonds News and other media sources. Staff is doing its best to inform the public about the process.

Council President Pro Tem Johnson wanted to see a more robust public information component to the contract, observing the proposed approach was fairly standard and passive, requiring citizens to go to the website, attend meetings, etc. If 40-80 people attend a meeting, that is considered wildly successful but that does not always represent the 40,000 population. She suggested direct mailing to citizens similar to what was done during the Harbor Square update. In addition to Edmonds, this effort includes a regional component, the people who use the ferry. She recommended determining strategies to engage the larger region. She expected the partners in this study would also be interested in that. She asked the percentage of the contract spent on the public information program and challenged the consultant to look at more than the routine way of outreach due to Edmonds citizens’ interest in this issue.

Councilmember Nelson assured all the partners in the project are interested in a regional perspective and input into the process. The public outreach includes methods of going out to the public. Mayor Earling said the first press release was sent to the region not just the local news media; he recalled a TV news segment as well as an article in the Herald. He assured the initial outreach will be well beyond the City and south Snohomish County. Mr. Williams said about 20% of the budget is dedicated to public outreach/education portion of the project which is a lot compared to most transportation project. The subconsultant helping to design and implement the public outreach/education is EnviroIssues who was heavily involved in the public education/outreach for the Marina Beach Master Plan. That was a good local model for effective public outreach. EnviroIssues has several innovative approaches such as popup meetings where the information team provides information at locations/events where people are such as holiday market, booth on ferry, etc. He was committed to doing everything reasonable to ensure people in Edmonds are aware of the project and welcomed any specific ideas. He commented direct mailings are very expensive. **Rick Schaefer, Tetra Tech**, said they plan to mail postcards to announce meetings and the website. Mr. Williams acknowledged Edmonds has a slightly different mix of digital awareness and staff and the consultant are cognizant that not everyone uses or has regular access to a computer.

Council President Pro Tem Johnson pointed out there is a difference between public outreach/meetings and public information; she wanted to emphasize information. If money is being spent to send out three postcards, three information pieces that include notice of the meetings could be sent out just as easily. She wanted to use resources wisely and as an opportunity to inform the public.

Councilmember Bloom expressed concern that the contract did not truly emphasize and prioritize near-term solutions to provide constant emergency access and asked whether the contract language could be changed. Mr. Williams answered the intent is to do exactly what she said and they realize that is the responsibility in the study. The Task Force is aware that a discussion needs to occur early in process about what could be done sooner rather than later in perhaps a smaller or less expensive project to improve the ability to respond to emergencies on the west side of the track.

Councilmember Bloom asked whether that could be included in the contract. She referred to page 20, Task 5 – Level 1 Alternative Development and Screening, states, “The concepts will be developed into a framework of alternatives that will offer (1) near-term solutions and/or (2) longer-term alternatives that would require coordination with the ultimate location of the ferry terminal.” She suggested changing “and/or” to “and.” She asked whether there was a way to prioritize and have parallel tracks for addressing emergency vehicle access in the contract to avoid waiting until the end of the process to look at near-term solutions. She also asked whether the trench was identified in the contract as an option, commenting a lot of public input has been gathered regarding the trench and Tetra Tech already did a presentation.

Mr. Williams answered the contract purposely does not include any of the options. The public will have an opportunity to identify options to be studied in the Level 1 screening process. All the options discussed in the past will be on the list including the trench as well as ideas that are proposed by the public. Level 1 screening criteria will be developed and applied to all the alternatives to determine Level 2 projects followed by further development of those alternatives and a Level 2 screening. It would not be appropriate to list the train trench in the contract without listing other options. Further, not all potential projects have been identified; there may be new ideas as well as variations on grade separation themes.

Councilmember Bloom asked if there could be a separate track for addressing emergency vehicle access or a way of identifying near-term prioritized projects. Mr. Williams answered yes, implementing the study and working with the Task Force includes early discussion about low hanging fruit that could be implemented fairly quickly to improve emergency access while a larger project is funded and constructed. Councilmember Bloom suggested reworking the language, expressing concern with the end of the sentence she referred to that referenced the location of the ferry terminal. She pointed out a trench would

not require moving the ferry terminal. Mr. Williams agreed the trench would not necessarily require moving the ferry terminal but the ferry terminal may be relocated anyway in which case the train station and multimodal aspects of a final solution would need to be evaluated with respect to the ultimate location of the ferry terminal. Councilmember Bloom reiterated her request to change “and/or” to “and.” Mr. Williams asked for Council consensus regarding that change and assured both would be considered.

Councilmember Petso observed one of deliverables in the contract is a report to the legislature and a report to compile and summarize public comments. It was her understanding this was a study by City; she asked whether it was actually a State project that the City was cooperating on. Mr. Williams answered the State is the majority funder via the legislature; the only qualification attached to the funding was to provide the legislature an update by December 1 on progress in developing and completing the study. Councilmember Petso asked for assurance it is still a City project. Mr. Williams answered absolutely.

Councilmember Petso asked whether it would be okay if a Council majority wanted to go through Level 2 screening and not select an alternative. She was concerned with the State receiving the report and identifying something like an elevated, view-blocking train bridge as their preferred alternative, an alternative the City was unlikely to approve. She wanted assurance this is the City’s study and not the legislature’s study. Mr. Williams assured it is the City’s study but there is a presumption the study will yield concrete recommendations on a path forward that addresses the conditions and deficiency outlined in the purpose and need for the study. By taking the funding, the City is obliged to produce a study that reaches some conclusion. It is possible the study may find all the alternatives fail; but he believes there are actions that can be taken to measurably improve the situation long term and in the short term to improve emergency services access.

Mayor Earling said the legislature wants some kind of report by December 1; it is not a report to see whether they like what the City is doing but to report on progress such as Task Force and public meetings.

Mr. Williams relayed staff’s goal is to have the contract approved on next week’s agenda. Staff will include the information Councilmember Petso requested in next week’s agenda packet. Councilmember Buckshnis said she sent staff questions via email and encouraged other Councilmembers to do the same.

Council President Pro Tem Johnson suggested Councilmembers submitting questions to staff also copy Council President Fraley-Monillas and that this be scheduled as an agenda item and not on the Consent Agenda.

I. WRIA8 (WATER RESOURCE INVENTORY AREA 8) SALMON RECOVERY INTERLOCAL AGREEMENT

Councilmember Buckshnis explained this is basically a renewal of the previous WRIA 8 Interlocal Agreement. WRIA8 is a very powerful salmon recovery council with representation from 27 cities, 2 counties, and many concerned citizens and scientists. The City has received over \$500,000 in the past five years in state and federal funding for the design and restoration of Willow Creek and the Edmonds Marsh, based on recommendations of WRIA8. She recommended approval on next week’s Consent Agenda.

Councilmember Mesaros asked whether WRIA8 was as effective as Students Saving Salmon. Councilmember Buckshnis referred to a group of students who developed a DVD regarding the Cedar River. She was certain WRIA8 would take note of the Students Saving Salmon’s efforts.

It was the consensus of the Council to schedule approval on next week’s Consent Agenda.

7. MAYOR'S COMMENTS

Mayor Earling invited Councilmembers to attend the Snohomish County Cities' monthly meeting at the Nile Country Club on Thursday, October 15. The meeting will include AWC's new CEO and a lead staff member to discuss legislative agendas as well as presentation of awards to Senators Liias and Hobbs for their great work on transportation issues during the past legislative session.

Mayor Earling reported on a luncheon he attended today where domestic violence was on the agenda. The luncheon was attended by 500-600 people and Senator Patty Murray was the speaker. He invited all the City's lead staff members to attend due to the importance of identifying domestic violence when it happens.

15. COUNCIL COMMENTS

Council President Pro Tem Johnson recommended Councilmembers contact the Council Executive Assistant if they wanted to attend the Snohomish County Cities dinner.

Council President Pro Tem Johnson thanked Mayor Earling for his presentation of the budget. The Council will hold one hour budget workshops during the next four meetings. She looked forward to a robust discussion. The Council is required to adopt the budget by the end of year; public hearings have been scheduled.

Councilmember Bloom observed there has been a police officer in Council Chambers every week; at one point there were two police officers tonight. She personally believed it was time to relieve them of that responsibility and requested Mayor Earling do so as the Council does not need their protection and their time could be better spent elsewhere. Mayor Earling thanked her for the recommendation.

Councilmember Buckshnis announced ACE, Edmonds Senior Center is presenting a candidates forum on October 19. She also complimented My Edmonds News on the domestic violence information on their website.

Councilmember Nelson wished his wife a happy birthday tomorrow.

16. CONVENE IN EXECUTIVE SESSION REGARDING PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

This item was not needed.

17. RECONVENE IN OPEN SESSION. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

This item was not needed.

18. ADJOURN

With no further business, the Council meeting was adjourned at 9:41 p.m.